

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE:)	
)	
JOEL MACCABE NOLTING)	Case No. 20-33963-KRH
KAREN ASHLEY NOLTING)	Chapter 13
)	
Debtors)	

**MOTION TO EXPEDITE HEARING ON MOTION TO
SELL REAL ESTATE AND TO SHORTEN NOTICE PERIOD**

COME NOW the Debtors, by counsel, and move this Court to Expedite the Hearing on their Motion to Sell Real Estate and to Shorten Notice Period, and in support thereof state as follows:

1. The Debtors filed this case under Chapter 13 of the U.S. Bankruptcy Code on September 28, 2020 and their Chapter 13 Plan has been confirmed.
2. The Debtor, Karen Ashley Nolting, is a member of a limited liability company by the name of Joy Bay, LLC ("Joy Bay"), owning a one sixth (1/6) membership interest therein.
3. Joy Bay is the owner of real estate and improvements thereon known as 822 N. 1st Street, Hampton, VA, , more particularly described as

ALL THAT CERTAIN OR PARCEL OF LAND WITH THE IMPROVEMENTS
THEREON AND APPURTENANCES THERETO BELONGING, LYING,
BEING AND SITUATE IN HAMPTON, VIRGINIA, DESIGNATED AS LOT
12, SECTION C, MALO BEACH SUBDIVISION, PROPERTY
IDENTIFICATION NUMBER 12007579.

(the "Property").

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
Counsel for Debtors

4. Joy Bay has entered into a contract (“Contract”) for the sale of the Property for \$525,000.00, which, upon the closing of the same, will result in proceeds to Karen Ashley Nolting of approximately \$106,100.00.

5. The Property is currently subject to a first deed of trust in favor of Debtor, Karen Ashley Nolting, with an approximate balance of \$22,500.00, which balance is to be paid in full with the proceeds from the sale of the Property

6. Karen Ashley Nolting is requesting that so much of the proceeds from the sale of the Property be paid to the Chapter 13 Trustee herein as to pay in full all claims under the Chapter 13 Plan at 100%.

7. On January 27, 2020, or as soon thereafter as may be practicable, Joy Bay intends to sell the Property to Wayne and Patricia Schrum in accordance with the terms of the Contract.

WHEREFORE, the Debtors respectfully request that the Court expedite the hearing on their Motion to Sell Real Estate, Shorten the Notice Period required for said Motion, and grant them such other and further relief as is just and proper.

JOEL MACCABE NOLTING
KAREN ASHLEY NOLTING

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
Counsel for Debtors

CERTIFICATION

I, James E. Kane, pursuant to Local Rule 9013-1(N), do hereby certify that:

1. I have carefully examined the matter and concluded that there is a true need for an emergency hearing,
2. I have not created the emergency through any lack of due diligence.
3. I have made a *bona fide* effort to resolve the matter without hearing.

By: /s/ James E. Kane
James E. Kane

CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and will mail the same by first class mail, postage pre-paid, to the parties on the attached list.

/s/ James E. Kane
Counsel for Debtors

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
JOEL MACCABE NOLTING)	Case No. 20-33963-KRH
KAREN ASHLEY NOLTING)	Chapter 13
)	
Debtors)	

NOTICE OF MOTION AND HEARING

The above Debtors have filed papers with the Court to request an order to Expedite the hearing and to Shorten the Notice Period with respect to their Motion to Sell Real Estate.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled for **January 27, 2021 at 12:00 p.m. at U.S. Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219.** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: January 20, 2021

JOEL MACCABE NOLTING
KAREN ASHLEY NOLTING

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
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/s/ James E. Kane
Counsel for Debtors

Label Matrix for local noticing
0422-3
Case 20-33963-KRH
Eastern District of Virginia
Richmond
Wed Jan 20 14:33:11 EST 2021

UST smg Richmond
Office of the U. S. Trustee
701 East Broad St., Suite 4304
Richmond, VA 23219-1849

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

Document Page 8 of 10

Amca
2269 S Saw Mill
Elmsford, NY 10523-3832

Ashley Funding Services, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Bank of America
4909 Savarese Circle
F11-908-01-50
Tampa, FL 33634-2413

Bank of America, N.A.
P O Box 982284
El Paso, TX 79998-2284

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

COUNTY OF HENRICO, VIRGINIA
ANDREW R. NEWBY, DEP. COUNTY ATTORNEY
P. O. BOX 90775
HENRICO, VIRGINIA 23273-0775

Capital One
Po Box 5253
Carol Stream, IL 60197-5253

Carter Machinery Company INC
P O Box 3096
Salem, VA 24153-0618

Cawthorn, Deskevich & Gavin
9701 Metropolitan Court
Suite C
Richmond, VA 23236-3694

Charlottesville Bureau
3690 Dobleann Dr
Charlottesville, VA 22911-9088

Citibank
Citicorp Credit Svcs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179-0034

Cornerstone Credit Ser
3310 Arctic Blvd
Anchorage, AK 99503-4576

County of Henrico, VA
PO Box 90775
Dept of Finance
Richmond, VA 23228-9775

Credit First N A
6275 Eastland Rd
Brookpark, OH 44142-1399

Credit One Bank
Attn: Bankruptcy Department
Po Box 98873
Las Vegas, NV 89193-8873

Creditors Collection Service
Attn: Bankruptcy
Po Box 21504
Roanoke, VA 24018-0152

Esb/harley Davidson Cr
Po Box 21829
Carson City, NV 89721-1829

(p)FOCUSED RECOVERY SOLUTIONS
9701 METROPOLITAN COURT
STE B
RICHMOND VA 23236-3690

Genesis Bc/Celtic Bank
Attn: Bankruptcy
Po Box 4477
Beaverton, OR 97076-4401

HCA Health Services of Virgini
500 Hioaks Rd
Richmond, VA 23225-4061

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P.O. Box 90775
Henrico, VA 23273-0775

Henrico Doctors Hospital
Resurgent Capital Services
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Greenville, SC 29602-1927

Internal Revenue Service
Centralized Insolvency Operati
P. O. Box 7346
Philadelphia, PA 19101-7346

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Henrico, VA 23233-2501

LVNV Funding, LLC
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Greenville, SC 29603-0587

Natiowide Recovery Service
Attn: Bankruptcy
5655 Peachtree Parkway
Norcross, GA 30092-2812

(p)PHOENIX FINANCIAL SERVICES LLC
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 INDIANAPOLIS IN 46236-1450

Portes Realty
 P O Box 6482
 Richmond, VA 23230-0482

Quantum3 Group LLC as agent for
 Genesis FS Card Services Inc
 PO Box 788
 Kirkland, WA 98083-0788

Radiology Assoc of Richmond
 PO Box 13343
 Richmond, VA 23225-0343

Receivable Management
 Pob 17305
 Richmond, VA 23226-7305

Receivable Management Inc
 Bankruptcy Dept/Receivables Management S
 7206 Hull Rd Ste 211
 Richmond, VA 23235-0000

Red Wing Shoes
 8513 Midlothian Tpke
 Richmond, VA 23235-5123

Revenue Recovery Corp
 612 Gay St
 Knoxville, TN 37902-1603

Richmond Center for Fertility
 7603 Forest Ave Ste 301
 Henrico, VA 23229-4937

Rue and Associates
 P O Box 640
 Mechanicsville, VA 23111-0640

The Rahman Group
 3805 Cutshaw Ave.
 Suite 307-B
 Richmond, VA 23230-3943

Transworld Sys Inc/51
 Attn: Bankruptcy
 Po Box 15630
 Wilmington, DE 19850-5630

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 P O BOX 25132
 WINSTON SALEM NC 27114-5132

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 Po Box 4222
 Iowa City, IA 52244-0000

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 10501 Vermeer Place
 Ashland, VA 23005-8046

Virginia Department of Tax
 P.O. Box 1115
 Richmond, VA 23218-1115

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Suzanne E. Wade
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 7202 Glen Forest Drive, Ste. 202
 Richmond, VA 23226-3770

Phoenix Financial Serv 8902 Otis Ave Ste 103a Indianapolis, IN 46216-0000	Truliant Federal Cu 2098 Frontis Plaza Blvd Winston-salem, NC 27103-0000	(d)Truliant Federal Cu PO Box 25132 Winston-salem, NC 27114
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Wakefield & Associates Attn: Bankruptcy 7005 Middlebrook Pike Knoxville, TN 37909-0000	End of Label Matrix Mailable recipients 55 Bypassed recipients 0 Total 55
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